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EXAMINER

THAI, CUONG T

ART UNIT

PAPER NUMBER

2173

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/692,498	PAPERNY ET AL.	
	Examiner	Art Unit	
	CUONG T THAI	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on July/09/2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19-23, 25-74 and 77-98 is/are pending in the application.
- 4a) Of the above claim(s) 75 and 76 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-23, 25, 52-55 and 62-69 is/are allowed.
- 6) ☒ Claim(s) 1-17, 19, 26-51, 56-61 and 70-98 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

1. This action is responsive to Amendment filed on July 09, 2004. Prosecution is hereby REOPENED.
2. Claims 1-17, 19-23, 25-74 and 77-98 are presented for examination. Claims 75-76 have been withdrawn from consideration in response to restriction requirement filed on Sept./22/2003. Claims 18 and 24 have been canceled.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negative by the manner in which the invention was made.

4. Claims 1-3, 5-8, 10, 13-15, 17, 26-27, 29, 31-33, 35-38, 40, 43-45, 47, 49, 51, 59-61, 70-72, 74, 77-78, 79-85, 87-90, 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. (USPN: 6,216,141) hereinafter Straub in view of Cho Jun Ho et al. (WO 00/48069) hereinafter Cho Jun Ho.

As per claims 31 (method), 1 (method), 77-78 (system), 85 (method), 83 (readable medium) and 84 (readable medium); Straub discloses a method for overlaying an object in a window of a software application, comprising the steps of:

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Receiving a request for the object to be displayed in the window, the request being initiated by a behavior of a user viewing the window is taught by Straub as the technique of three overlapping windows 116, 118 and 120 overlay the desktop window 104 in a front to back order. Each window represents a separate application, file or document. Window 120 is the front most window and as such is the window which accept user input (see col. 7, lines 57-61 and see Fig. 4);

Displaying the object in response to the request by overlay is taught by Straub can be seen in Fig. 5.

Straub, however, does not disclose the limitations of using a plug-in control, creating by the plug-in control an overlay plane in the window, wherein the object is displayed in a manner that is independent of a movement of a pointing device

Cho Jun Ho discloses the limitations of using a plug-in control, creating by the plug-in control an overlay plane in the window wherein the object is displayed in a manner that is independent of a movement of a pointing device is taught by Park as the technique of Web browsers are beginning to provide many flexible and powerful functions of "plug-ins", "script language", "virtual machine" (see page 13, lines 9-12), a plug-in using Active X technology provided by Microsoft Inc. or implementing layer technology using Java language provided by SUN Co. (see page 22, lines 21-24) wherein Fig. 3 depicting an additional form of advertising through the Internet called **"pop-ups" or "self-appearing windows", which appear on the computer screen regardless of user's intention** (see page 3, lines 15-19 and see Fig. 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Cho-Hun-Ho teachings of using a plug-in control, creating by the plug-in control an overlay plane in the window wherein the object is displayed in a manner that is independent of a movement of a pointing device into that of Straub overlay window invention. By doing so, the system would be enhanced by capable of providing overlay layer on the top of other window regardless user's attention by using control device. Thus, the system would provide more up-to-date information to its end user.

As per claims 32 (method) and 2 (method), the limitation of wherein the window is a markup language document is taught by Straub as the technique of HTML pages (see col. 8, line 28). These claims are therefore rejected for the reason as set forth above.

As per claims 33 (method) and 3 (method), the limitation of wherein the markup language document is an HTML document is taught by Straub as the technique of hypertext document viewer used to display hypertext documents provided from the Internet, HTML pages (see col. 8, lines 26-28). These claims are therefore rejected for the reason as set forth above.

As per claims 35 (method), 5 (method), and 87 (method); the limitation of wherein the software application is a Web browser is taught by Straub as the technique

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of Fig. 3 shows a known browser environment used to access information through the internet. A client computer 20 uses a browser (see col. 6, lines 65-67) where the client programs interact with the object 50 by calling the member functions 56-58 on a particular interface of the object (see col. 6, lines 56-58). These claims are therefore rejected for the reason as set forth above.

As per claims 36 (method), 6 (method), 79 (system), and 88 (method); the limitation of wherein the Web browser is at least one of Netscape Navigator, Netscape Communicator, and Microsoft Internet Explorer is taught by Straub as the technique of a client computer 20 uses a browser such as Microsoft Corporation's Internet Explorer (see col. 6 line 66 to col. 7 line 1). These claims are therefore rejected for the reason as set forth above.

As per claims 37 (method), 7 (method) and 89 (method); the limitation of wherein the receiving request as a result of the user clicking on a hyperlink is taught by Straub as the technique of the document retrieved contains hyperlinks, thereby allowing a user to select a hyperlink and jump to another document (see col. 3, lines 35-37). These claims are therefore rejected for the reason as set forth above.

As per claims 38 (method), 8 (method), and 90 (method); Straub discloses the invention substantially as claimed above. Straub, however, does not disclose the

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limitation of wherein the receiving request by the plug in control as a result of the user clicking on a banner.

Cho Jun Ho discloses the limitation of wherein the receiving request by the plug in control as a result of the user clicking on a banner as the technique of user can receiving request as a result of clicking on any of Banner 1-Banner 9 (see Fig. 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Cho-Hun-Ho teaching of wherein the receiving request by the plug in control as a result of the user clicking on a banner into that of Struab overlay window invention. By doing so, the system would be enhanced by capable of providing other banner formed in hyperlink form where it would allow user quickly jump to that site by simple clicking.

As per claims 40 (method) and 10 (method), the limitation of wherein the receiving request by the plug in control as a result of the user initiate a click event is taught by Cho Jun Ho as the technique of user can receiving request as a result of clicking on any of Banner 1-Banner 9 (see Fig. 1). These claims are therefore rejected for the reason as set forth above.

As per claim 80, the limitation of wherein the browser is defined using the Netscape Application Programming Interface (API) is taught by Straub as the technique of Microsoft Corporation's Win32 API (Application program Interface) (see col. 11, lines 8-9). This claim is therefore rejected for the reason as set forth above.

As per claim 81, Straub discloses the invention substantially as claimed above. Straub, however, does not disclose the limitation of wherein the browser plug in control is at least one of Netscape Navigator plug in and Netscape Communicator plug in.

Cho Jun Ho discloses the limitation of wherein the browser plug in control is at least one of Netscape Navigator plug in and Netscape Communicator plug in as the technique of Web browser are beginning to provide many flexible powerful function. These functions emerged through technologies such as "plug in", "script language", "virtual machine" (see page 13, lines 9-12).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Cho-Hun-Ho teaching of wherein the browser plug in control is at least one of Netscape Navigator plug in and Netscape Communicator plug in into that of Straub overlay window invention. By doing so, the system would be enhanced by capable of providing an intuitive tool to its end user.

As per claim 82, Straub discloses the invention substantially as claimed above. Straub, however, does not disclose the limitation of wherein the browser plug in control is an ActiveX control.

Cho Jun Ho discloses the limitation of wherein the browser plug in control is an ActiveX control as the technique of using a plug-in Active X technology provided by Microsoft Inc. or implementing layer technology using Java language provided by SUN Co. (see page 22, lines 21-24).



It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Cho-Hun-Ho the limitation of wherein the browser plug in control is an ActiveX control into that of Straub overlay window invention. By doing so, the system would be enhanced by capable of providing an intuitive tool to its end user.

As per claim 43 (method) and 13 (method), Straub discloses the invention substantially as claimed above. Straub, however, does not disclose the limitation of receiving request, by the plug in control as a result a new window to be displayed.

Cho Jun Ho discloses the limitation of receiving request by the plug in control as a result a new window to be displayed as the technique of user can click on any of Banner 1-Banner 9 to open a new window (see Fig. 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Cho-Hun-Ho the limitation of receiving request by the plug in control as a result a new window to be displayed into that of Straub overlay window invention. By doing so, the system would be enhanced by capable of providing an intuitive tool to its end user.

As per claims 44 (method) and 14 (method), the limitation of wherein the new window is defined by a markup language document is taught by Straub as the technique of hypertext document viewer used to display hypertext documents provided from the Internet, HTML pages (see col. 8, lines 26-28). These claims are therefore rejected for the reason as set forth above.

As per claims 45 (method) and 15 (method), the limitation of wherein the markup language document is an HTML document is taught by Straub as the technique of hypertext document viewer used to display hypertext documents provided from the Internet, HTML pages (see col. 8, lines 26-28). These claims are therefore rejected for the reason as set forth above.

As per claims 47 (method) and 17 (method), due to the similarity of each of these claims to that of claim 1, except for the limitation of wherein the layer is created using a layering functionality of the software application. Straub discloses the invention substantially as claimed above. Straub, however, does not disclose the limitation of wherein the layer is created using a layering functionality of the software application.

Cho Jun Ho discloses the limitation wherein the layer is created using a layering functionality of the software application as the technique of a plug-in using Active X technology provided by Microsoft Inc. or implementing layer technology using Java language provided by SUN Co. (see page 22, lines 21-24) through Layer Control Module 25 (see Fig. 7).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Cho-Hun-Ho the limitation of wherein the layer is created using a layering functionality of the software application into that of Straub overlay window invention. By doing so, the system would be enhanced by capable of providing an intuitive layer control tool to its end user.

As per claim 70, Straub discloses an overlay image including the object can be seen in Fig. 5. This claim is therefore rejected for the reason as set forth above.

As per claim 71, due to the similarity of this claim to that of claim 31, this claim is therefore rejected for the same reasons applied to claim 31.

As per claim 72, due to the similarity of this claim to that of claim 31, this claim is therefore rejected for the same reasons applied to claim 31.

As per claims 26-27, due to the similarity of these claims to that of claim 72, these claims are therefore rejected for the same reason applied to claim 72.

As per claims 74 (method) and 29 (method), the limitation of using a transition effect to display the created overlay plane is at least one of a transparent transition, a rotation object transition, a zoom transition, a wipe transition, a page curl transition, and a ripple transition is taught by Cho Jun Ho as the technique of the image to be displayed is limited to a region which has been defined by the layer property control unit 27 and such image can be transparent (see page 20, lines 23-25). These claims are therefore rejected for the reason as set forth above.

5. Claims 11-12, 19, 41-42, 48, 50, 56-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. (USPN: 6,216,141) hereinafter Straub in view of Cho Jun Ho et al. (WO 00/48069) hereinafter Cho Jun Ho and further in view of Lui et al. (USPN: 6,340,977) hereinafter Lui.

As per claims 41 (method) and 11 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of wherein the receiving request by the plug in control as a result of the user initiate a roll over event.

Lui disclose the limitation of wherein the receiving request as a result of the user initiate a roll over event as the technique of "drag and drop" (see abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Lui teaching of the receiving request as a result of the user initiate a roll over event into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by capable of providing an enhanced tool to an end user.

As per claims 42 (method) and 12 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of wherein the receiving request by the plug in control as a result of the user initiate a timing event.

Lui disclose the limitation of wherein the receiving request as a result of the user initiate a timing event as the technique of real time or just in time (see abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Lui teaching of the receiving request as a result of the user initiate a timing event into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by capable of providing an enhanced timing event to an end user.

As per claim 92, due to the similarity of this claim to that of claim 37 in term of hot spot of hyperlink, this claim is therefore rejected for the same reason applied to claim 37.

As per claims 48 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of overlaying the created layer with the window, wherein the created layer is overlaid the window.

Lui discloses the limitation of overlay as the technique of creating overlay Adjunct Window 850 and overlaying the Adjunct window on the top of another window 810 of window screen (see Fig. 5).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Lui's overlay teaching into that of Park's the created layer with the window and further into that of Straub and Cho Jun Ho combined invention. Thus, the created layer is overlaid the window.

As per claims 49 (method) and 19 (method), the limitation of wherein the layer is a DHTML is taught by Cho Jun Ho as the technique of technology such as layer technology disclosed in this application is merely added to help the reader to understand DHTML (see page 22, lines 16-18). These claims are therefore rejected for the reason as set forth above.

As per claim 50, due to the similarity of this claim to that of 48 in term of using plug in control for overlaying the creating layer with the window and for bypassing the software application provided mechanism for the displayer of layers, this claim is therefore rejected for the same reasons applied to claim 48.

As per claim 51, due to the similarity of this claim to that of claim 49, this claim is therefore rejected for the same reason applied to claim 49.

As per claims 56 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of layer is hidden from the user and the layer includes a reference to the object.

Lui discloses the limitation of wherein the layer is hidden from the user and the layer includes a reference to the object as the technique of overlaying the Adjunct window on the top of another window 810 of window screen (see Fig. 5).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Lui's window 810 hidden behind the Adjunct window into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by capable of maximizing the screen estate with reference to the object to an end user.

As per claims 57 (method), the limitation of wherein the reference to the object initiates the streaming of the object data to the layer is taught by Straub as the technique of a system and method for displaying a rich multimedia document in the same window as a desktop window (see abstract). This claim is therefore rejected for the reason as set forth above.

As per claims 58 (method), the limitation of wherein the layer is a DHTML layer is taught by Cho Jun Ho as the technique of technology such as layer technology disclosed in this application is merely added to help the reader to understand DHTML (see page 22, lines 16-18). This claim is therefore rejected for the reason as set forth above.

As per claims 59 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of wherein the layer is hidden from the user.

Lui discloses the limitation of wherein the layer is hidden from the user as the technique of overlaying the Adjunct window on the top of another window 810 of window screen (see Fig. 5).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Lui's window 810 hidden behind the Adjunct window into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by capable of maximizing the screen estate with the object to an end user.

As per claims 60 (method), the limitation of displaying the defined layer to the user is taught by Cho Jun Ho as the technique of layer closest to the user is the active layer (see page 20, lines 17-18) by using Layer Generating Unit for creating a layer (see Fig. 7). This claim is therefore rejected for the reasons as set forth above.

As per claims 61 (method), the limitation of wherein the layer is a DHTML layer is taught by Cho Jun Ho technology such as layer technology disclosed in this application is merely added to help the reader to understand DHTML (see page 22, lines 16-18). This claim is therefore rejected for the reason as set forth above.

6. Claims 4, 16, 34 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. (USPN: 6,216,141) hereinafter Straub in view of Cho Jun Ho et al. (WO 00/48069) hereinafter Cho Jun Ho and further in view of Helgeson et al. (USPN: 6,643,652) hereinafter Hegeson.



As per claims 34 (method) and 4 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not the limitation of wherein the markup language document is an XML document.

Helgeson discloses the limitation of wherein the markup language document is an XML document as the technique of internal language into XML (see col. 11, lines 54-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Helgeson teaching of an XML document into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by capable of providing more mark up language to system's end user.

As per claims 46 (method) and 16 (method), due to the similarity of each of these claims to that of claims 34 and 4, respectively, these claims are therefore rejected for the same reasons applied to claims 34 and 4.

7. Claims 9, 39 and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. (USPN: 6,216,141) hereinafter Straub in view of Cho Jun Ho et al. (WO 00/48069) hereinafter Cho Jun Ho and further in view of Katinsky et al. (USPN: 6,452,609) hereinafter Katinsky.

As per claims 39 (method) and 9 (method), and 91 (method); Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho,

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however, do not the limitation of receiving request by the plug in control as a result of the user clicking on a graphical icon.

Katinsky discloses the limitation of receiving request by the plug in control as a result of the user clicking on a graphical icon as the technique of a graphical can be drag from the media access area to the sequencer to add to the media object represented by the graphical icon to the play list (see col. 1, lines 62-64).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Katinsky teaching of receiving request as a result of the user clicking on a graphical icon into that of Park's plug in control invention and further into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by capable of providing more graphical edit tool to an end user.

8. Claims 28 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. (USPN: 6,216,141) hereinafter Straub in view of Cho Jun Ho et al. (WO 00/48069) hereinafter Cho Jun Ho and further in view of Leberl et al. (USPN: 6,288,801) hereinafter Leberl.

As per claims 73 (method) and 28 (method), Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of overlay plane utilizes semi-transparent.

Leberl discloses the limitation of utilizing semi-transparent as the technique of transparent or semi-transparent (see col. 38, line 28).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Leberl's teaching of semi-transparent into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by providing more transition effect to user when the user intent to overlay plane.

9. Claims 30, 93-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Straub et al. (USPN: 6,216,141) hereinafter Straub in view of Cho Jun Ho et al. (WO 00/48069) hereinafter Cho Jun Ho and further in view of Chew et al. (USPN: 5,990,905) hereinafter Chew.

As per claim 95, due to the similarity of the first two limitations and first part of third limitation of this claim to that of claim 31, except for wherein the overlay plane is directly composited in the window without using a layering feature of the software component. Straub and Cho Jun Ho disclose the invention substantially as claimed above. Straub and Cho Jun Ho, however, do not disclose the limitation of wherein the overlay plane is directly composited in the window without using a layering feature of the software component.

Chew discloses the limitation of wherein the overlay plane is directly composite in the window without using a layering feature of the software component as the technique of a computer system having a video display for displaying images, an operating system and an application program installed under the operating system for **providing a single graphical image being a composite image comprising a plurality of graphical images** (see col. 147, lines 2-10).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Chew's plurality of graphical images being composited into a single image into that of Straub and Cho Jun Ho combined invention. By doing so, the system would be enhanced by providing more detail of graphical images information to its end user.

As per claims 93 (method), 94 (medium), 96 (medium), and 97 (system); due to the similarity of each of these claims to that of claim 95, these claims are therefore rejected for the same reasons applied to claim 95.

As per claim 98, due to the similarity of receiving step, creating step, and displaying step of this claim to that of claim 97, except for the system includes a browser program and a browser plug in control. Cho Jun Ho disclose the system includes a browser program and a browser plug in control as the technique of **Web browser are beginning to provide many flexible and powerful functions. These functions emerged through technologies such as "plug-ins", "script languages", "virtual machines"** (see page 13, lines 9-12 ). This claim is therefore rejected for the reasons as set forth above.

***Allowable Subject Matter***

10. Claims 20, 23, 52, 62, and 66 are allowed over the cited arts of record.

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11. Claims 21-22 are dependent on allowed claim 20. Claims 25 depends on allowed claim 23. Claims 53-55 are dependent on allowed claim 52. Claims 63-65 are dependent in allowed claim 62. Claims 67-69 are dependent on allowed claim 66.

12. The following is an examiner's statement of reasons for allowance:

Examiner has carefully considered each of five claims 20, 23, 52, 62, and 66.

None of the cited art including Chew et al. (USPN: 5,990,905), Park et al. (USPN: 6,295,061), Horvitz et al. (USPN: 6,023,275), Judson (USPN: 5,737,619), Rosen et al. (USPN: 5,995,102), Cho Ho et al. (WO 00/48069), Helgeson et al. (USPN: 6,643,652), Lui et al. (USPN: 6,340,977), Chow et al. (USPN: 6,370,541), Katinsky et al. (USPN: 6,452,609), nor Leberl et al. (USPN: 6,288,801) discloses nor suggest a method for overlaying an object in a window of a software application comprising the steps of receiving a request for the object to be displayed in the window, the request included in at least one of the definition of the window and creating an overlay plane using at least one layer, wherein the layer is created using a layering functionality of the software application and the layer is hidden from a user (see claim 20), **nor** a method for overlaying an object in a window of a software application comprising the steps of receiving a request for the object to be displayed in the window, the request included in at least one of the definition of the window and creating an overlay plane using at least one layer, wherein the layer is created using a layering functionality of the software application and the layer is hidden from a user (see claim 23), **nor** a method for overlaying an object in a window of a software application for creating step includes

defining a layer using the software application provided functionality, wherein the layer definition is included in the definition of the window and placing the created overlay plane in the defined layer (see claim 52), **nor** suggest a method for overlaying an object in a window of a software application for creating step includes defining a layer using the software application provided functionality, wherein the layer definition is included in the definition of the window, the layer is hidden from the user and the layer includes a references to the object, and placing the created overlay plane in the defined layer (see claim 62), **nor** suggest a method for overlaying an object in a window of a software application for creating step includes defining a layer using the software application provided functionality, wherein the layer definition is included in the definition of the window, the layer is hidden from the user and the layer includes the object, and placing the created overlay plane in the defined layer (see claim 66).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (571) 272-4056. The examiner can normally be reached on 8:00 am - 4:00 pm.


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14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CUONG T THAI  
Examiner  
Art Unit 2173

April 01, 2005



CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER